

ZB# 01-33

**Singh / Gloede Signs
(Preet Deli)**

33-2-16.1

#01-33 Singh/Glade - 33-2-16.1
Preet Dahi Sign

Prelim:

July 9, 2001.

App. furnished

(App. should state
distance from road).

Public Hearing:

Sept. 10, 2001.

~~Money to be raised~~
~~for road here~~

Approved

\$385.00
Refund

Barbara Fitzgerald
~~Fitzgerald~~ - Glade Signs.

Request closer
picture of signage
& when it exists
off front yard.

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Singh, H.

FILE# 01-33

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA ☒ Signs

USE ☐

APPLICATION FOR VARIANCE FEE \$ 150.00

paid 8/21/01
13957

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 500.00

paid 8/21/01
13958

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 7/23/01 - 4 \$ 18.00

2ND PRELIMINARY- PER PAGE \$

3RD PRELIMINARY- PER PAGE \$

PUBLIC HEARING - PER PAGE 9/10/01 - 6 \$ 27.00

PUBLIC HEARING (CONT'D) PER PAGE \$

TOTAL \$ 45.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 7/23/01 \$ 35.00

2ND PRELIM. \$

3RD PRELIM. \$

PUBLIC HEARING. 9/10/01 \$ 35.00

PUBLIC HEARING (CONT'D) \$

TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 115.00

LESS ESCROW DEPOSIT \$ 500.00

(ADDL. CHARGES DUE) \$

REFUND DUE TO APPLICANT .. \$ (385.00)

Date 1/19/01.....

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Gloede Neon Signs DR.
P.O. Box 4963 Poughkeepsie, NY 12602

[illegible]

GLOEDE NEON SIGNS

P.O. BOX 4963
POUGHKEEPSIE, NY 12602
PHONE: (845) 471-4366

| DATE | INVOICE | AMOUNT |
|------|---------|--------|
| | | |
| | | |
| | | |
| | | |
| | | |

50-1134/219

13958

PAY


Five hundred & No/100 C

DOLLARS

| | | |
|-----------|---------------------|---------|
| CHECK NO. | TO THE ORDER OF | DATE |
| 13958 | Town of New Windsor | 8-21-01 |

| |
|-------------------|
| CHECK AMOUNT |
| 500 ⁰⁰ |

GLOEDE NEON SIGNS

 SECURITY

23A
01-33

RIVERSIDE BANK

11-13 GARDEN STREET
POUGHKEEPSIE, NEW YORK 12601

Barbara Fitzgerald

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

⑈013958⑈ ⑆021911343⑆ ⑆01 20 006788⑈

-----X
In the Matter of the Application of

HARJINDER SINGH

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCES**

#01-33.
-----X

WHEREAS, HARJINDER SINGH, 1035 Little Britain Road, New Windsor, New York 12553, owner of Preet Gourmet Pizza and Deli at the same location, has made application before the Zoning Board of Appeals for a variation of Section 48-18 of the Supplemental Sign Regulations to permit a 2 ft. sign height, 107 sq. ft. sign area for a freestanding sign, plus a variance for an additional freestanding sign to be located below the principle sign, at the deli at the above location in an NC zone; and

WHEREAS, a public hearing was held on the 10th day of September, 2001 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared by Barbara Fitzgerald of Gloede Signs and Wilson Shook; and

WHEREAS, there was one spectator appearing at the public hearing; and

WHEREAS, one spectator spoke expressing certain concerns but not being in opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a commercial property located in a neighborhood of commercial properties located on a busy state highway.

(b) The freestanding sign is intended to replace an existing sign on the premises.

- (c) The sign, if permitted, will not interfere with water drainage or cause the collection or ponding of water.
- (d) The freestanding sign is not located on the top of any water or sewer easements.
- (e) The sign is set back from the roadway a sufficient distance so that it will not be a hazard to the vision of motorists traveling on the adjacent roadway.
- (f) The sign variance, if allowed, would improve the site lines for motorists exiting the adjacent business over that which now exists.
- (g) The signs are consistent in size and appearance with other commercial signs in the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations are self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variances.

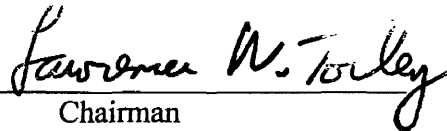
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a variation of Section 48-18 of the Supplemental Sign Regulations to permit 2 ft. height variance and 107 sq. ft. sign area variance for a freestanding sign, plus an additional freestanding sign to be located below the principle sign at the above-referenced deli, in an NC zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: December 17, 2001.


Chairman

Date 9/12/01

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

| DATE | | | CLAIMED | ALLOWED |
|---------|--|---------------------------------|---------|---------|
| 9/10/01 | | Zoning Board Mtg | 75.00 | |
| | | Misc - | | |
| | | contin - 2 | | |
| | | Sisters of the Presentation - 4 | | |
| | | Harris - 4 | | |
| | | Corbett - 3 | | |
| | | Hughes - 3 | | |
| | | Mans - 19 | | |
| | | Kolpan - 3 | | |
| | | Singh - 6 | | |
| | | 45 | 207.50 | |
| | | | 277.50 | |

SINGH, HARJINDER

Mr. Wilson Shook and Ms. Barbara Fitzgerald appeared before the board for this proposal.

MR. TORLEY: Request for variation of Section 48-18 of Supplemental Sign Regulations to permit a freestanding sign with more than the allowable height area and an additional sign attached to 1035 Little Britain Road in NC zone.

MR. SHOOK: My name is Wilson Shook. We have a map of the property which is 1988, somewhat old and it's really out of date, but if you take a look at it you'll see that the area we want to put a new sign is here on the south side of the property, I think it's the west side of the property near the entrance. The entrance is access that goes to the rear of the property which has another business in the rear. So, actually, this sign would be taking care of two businesses.

MS. FITZGERALD: I'm Barbara Fitzgerald, I wanted to introduce you to Mr. Wilson Shook, who is the former town planner for the Town of Poughkeepsie, has come to us in an advisory capacity to help us expedite these sorts of things. Last time I was here, you had all asked for a view coming from actually from the airport way. Now, we can switch those off, this is, they have the one from 300 feet and this is one, it's a little bit more brought forward and what we did was the existing sign and you'll notice here first we placed that there in the photograph digitally, it's not there, as you know, where the sign is now, there's a sign that exists, the edge of that will be where the edge of this is. So we have moved it back in so that the outer part of that matches the outer part of the little one that exists now.

MR. TORLEY: Ma'am, the only question I had on the sign was really is it possible to structurally to open up the lower area? You have a large, as the sign is now designed, you have this opaque structure and that has me a little concerned about sight lines. If it's opened up a little bit, I'd be happier. Is that possible?

MS. FITZGERALD: That's why I have the photos because it really does not interfere.

MR. KANE: It's pretty well set back.

MS. FITZGERALD: You asked to have it coming the other way because that's the curve and this is enlarged at a closer, and they are to scale so you can see that as they come out of the driveway, that's not impairing their sight distance at all. I apologize, I should of had more made but--

MR. KANE: Is the sign illuminated?

MS. FITZGERALD: Yes.

MR. KANE: Is it flashing in any way?

MS. FITZGERALD: No.

MR. TORLEY: Internally lit?

MS. FITZGERALD: Yes

MR. SHOOK: We prefer to keep it enclosed, that way, we don't have the legs sticking up.

MR. TORLEY: Your photograph would indicate that it would not appear to be a safety issue.

MR. REIS: What's the anticipated height of the sign?

MS. FITZGERALD: That I believe is on the drawing.

MR. BABCOCK: Seventeen feet.

MR. KANE: What are we at, 15?

MR. BABCOCK: That's correct.

MR. REIS: What's the reason behind elevating it?

MS. FITZGERALD: Because you want to keep that lower part in a visual, a good visual line, in other words,

you don't want to have it too low.

MR. BABCOCK: There's a little gable roof on there with a coffee cup.

MS. FITZGERALD: That really doesn't make the difference.

MR. KANE: And the additional sign is the message board down below?

MS. FITZGERALD: Right, which eventually will be eliminated and become the person's spot that's behind that.

MR. TORLEY: And the sign area variance request includes that present vacant sign?

MS. FITZGERALD: Yes.

MR. TORLEY: Needs a total of 171 square feet.

MS. FITZGERALD: Yeah, I guess if you add it altogether, sounds huge, but it's not.

MR. BABCOCK: Yes, it's 171.

MR. TORLEY: Now, this sign is replace existing signs, you're not altering any water drainage or over any easements?

MS. FITZGERALD: No and it's required of us to do a call-before-you-dig.

MR. TORLEY: And we have no trouble with setback from the property line with the sign?

MR. BABCOCK: No, there's none.

MR. REIS: Aesthetically and structurally, can you open up the opaque area? What was the answer to that?

MS. FITZGERALD: The reason being it's a design element basically but otherwise, you have an ugly lollipop and what we do is we cover, we cover the pole and that's,

that actually makes it maintenance free.

MR. TORLEY: I was concerned about safety but it's off the way it looks better.

MR. SHOOK: It's aesthetically more pleasing because it ties the sign to the ground.

MR. TORLEY: My concern is sight distance, gentlemen, I'm going to open it.

MR. RUCKERT: My name is John Ruckert, I happen to be one of the owners of 1029, which is next door. I have no objections to the sign. I just request that when we come out of our driveway at 1029, the view towards Stewart is impossible because of the fact the signs were there before and what she has now on the railing there.

MR. SHOOK: The low ones?

MR. RUCKERT: Yeah, are they going to be higher? That's all we request.

MR. TORLEY: Sir, we have a photograph.

MR. KANE: This has been digitally put in, but this is where the sign is and this is the view.

MR. TORLEY: So you're further east.

MR. RUCKERT: I'm east of there.

MR. TORLEY: Yeah, this is coming from the east side.

MS. FITZGERALD: Where do you pull out?

MR. RUCKERT: We're down here.

MR. TORLEY: What sign are we talking about now?

MS. FITZGERALD: I think it's one here.

MR. RUCKERT: There's a plastic sign across here now.

MS. FITZGERALD: There is?

MR. TORLEY: There shouldn't be.

MR. RUCKERT: This is what we had before with the previous tenants there, they always had signs.

MR. TORLEY: French or Spanish restaurant?

MR. RUCKERT: Spanish restaurant.

MS. FITZGERALD: What's there now?

MR. RUCKERT: There's a plastic sign there.

MR. MC DONALD: It's a different kind of, I think I saw it the other night.

MR. BABCOCK: It's a temporary sign for the same business they're here for tonight.

MS. FITZGERALD: This is not going to be here.

MS. CORSETTI: It's coming down.

MS. FITZGERALD: You're right, that would be a problem because that's way too close.

MR. RUCKERT: Because you have to get the car all the way out to the very white line and people are passing there because they're turning into Stewart.

MS. FITZGERALD: I know this is the only sign that's really allowed to be standing on this property and that's where it's supposed to be, I didn't know what's here now, but if it's temporary, it's coming down as soon as this goes up.

MR. RUCKERT: I don't object to any sign, just concerned about this.

MR. TORLEY: Then it would be looking more like this.

MR. KRIEGER: So, in other words, if the sign variance is allowed and the temporary signs are removed, it

September 10, 2001

45

would improve your situation, not detract from it?

MR. RUCKERT: That's correct, yes.

MR. TORLEY: We appreciate that. I'll close the public hearing and open it back up to the members of the board.

MR. KANE: Accept a motion?

MR. TORLEY: Yes.

MR. KANE: I move we approve the requested sign variances by Harjinder Singh at 1035 Little Britain Road.

MR. REIS: Second it.

ROLL CALL

| | |
|---------------|-----|
| MR. RIVERA | AYE |
| MR. MC DONALD | AYE |
| MR. KANE | AYE |
| MR. REIS | AYE |
| MR. TORLEY | AYE |

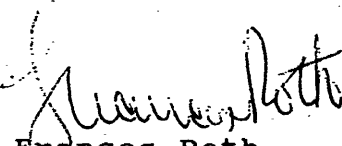
MR. KANE: I move we adjourn.

MR. MC DONALD: Second it.

ROLL CALL

| | |
|---------------|-----|
| MR. RIVERA | AYE |
| MR. MC DONALD | AYE |
| MR. KANE | AYE |
| MR. REIS | AYE |
| MR. TORLEY | AYE |

Respectfully Submitted By:


Frances Roth
Stenographer

9/12/01

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 6/12/01

APPLICANT: Gloede Neon Signs, Ltd.
97 N. Clinton Street
Poughkeepsie, NY 12601

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 6/8/01

FOR : Harjinder Singh

LOCATED AT: 1035 Little Britain Road


ZONE: NC Sec/ Blk⁷ Lot: 33-2-16.1

DESCRIPTION OF EXISTING SITE: Deli, Freestanding sign

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-18, H 1A

1. Freestanding sign- Maximum 15ft high and total of 64sqft of signage. Proposed sign is 17ft high and 171sqft. Variance required for 2ft height & 107sqft of signage.

Requests. 30 day temporary sign on new freestanding sign.


BUILDING INSPECTOR

PERMITTED 1 Freestanding

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: NC USE:

SIGN:

FREESTANDING: 1

1

1

HEIGHT: 15ft

17ft

2ft

WIDTH:

WALL SIGNS:

TOTAL ALL SIGNS: 64sqft

171sqft

107sqft

FEET FROM ANY LOT LINE:

cc: Z.B.A.. APPLICANT. FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

JUN 08 2001

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: 2001-567

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises AMARJIT SINGH/HARJINDER SINGH

Address X 1035 LITTLE BRITAN RD Phone X 845-567-9768

Mailing Address _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor GLOEDE NEON SIGN, LTD.

CAH

Address 97 N. CLINTON ST, Poughkeepsie, NY 12601 Phone (845) 471-4366
State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer Barbara Fitzgerald, PRES.
(Name and title of corporate officer)

1. On what street is property located? On the WEST/SOUTH side of LITTLE Britain Road
(N,S,E or W)
and _____ feet from the intersection of UNION AVE. & Little Britain Rd.
2. Zone or use district in which premises are situated N-C Is property a flood zone? Y _____ N _____
3. Tax Map Description: Section 33 Block 2 Lot 16.1
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
- a. Existing use and occupancy _____ b. Intended use and occupancy DELI
5. Nature of work (check if applicable) ☐ New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other SIGN
1 FREESTANDING SIGN
6. Is this a corner lot? NO
7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
- Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost \$5,000. Fee \$50.00

OK # 13684

BUILDING DEPARTMENT

RECEIVED
JUN 08 2001
PAID

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Barbara Fitzgerald GLOEDE NEON SIGNS 97 N. CLINTON ST. Poughkeepsie
(Signature of Applicant) (Address of Applicant) NY 12601

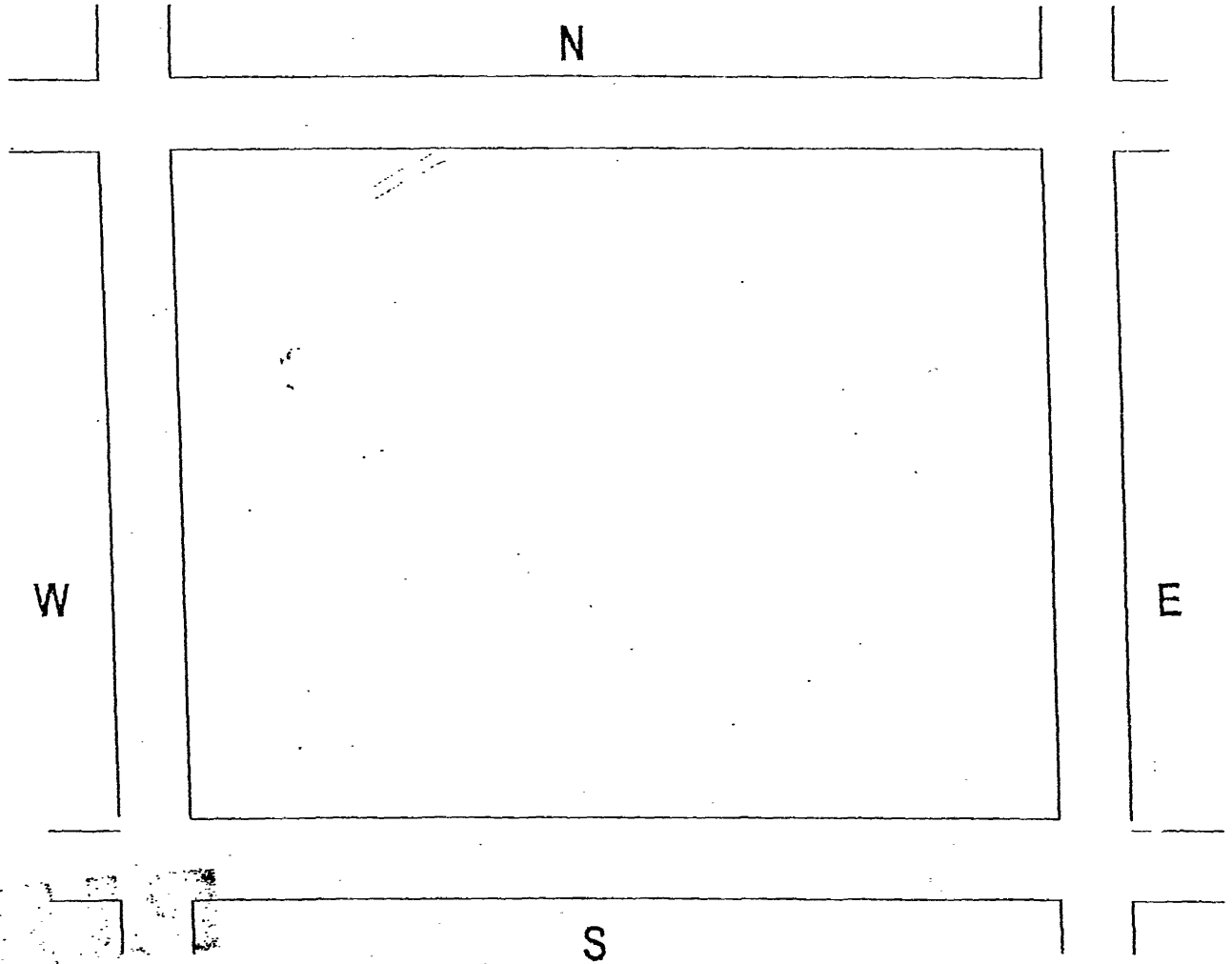
X Hanjinder Singh
(Owner's Signature)

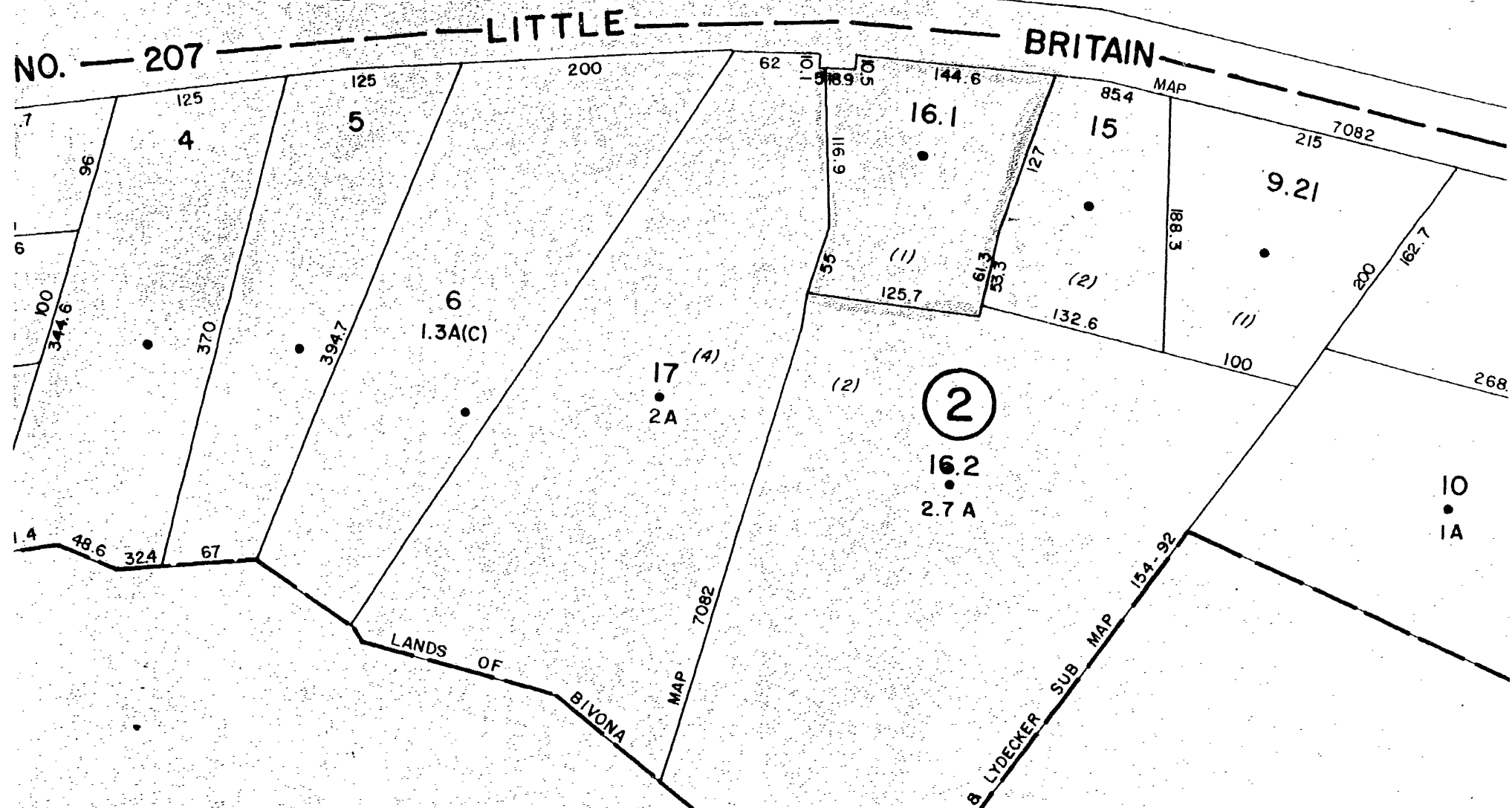
1035 LITTLE BRITAN RD.

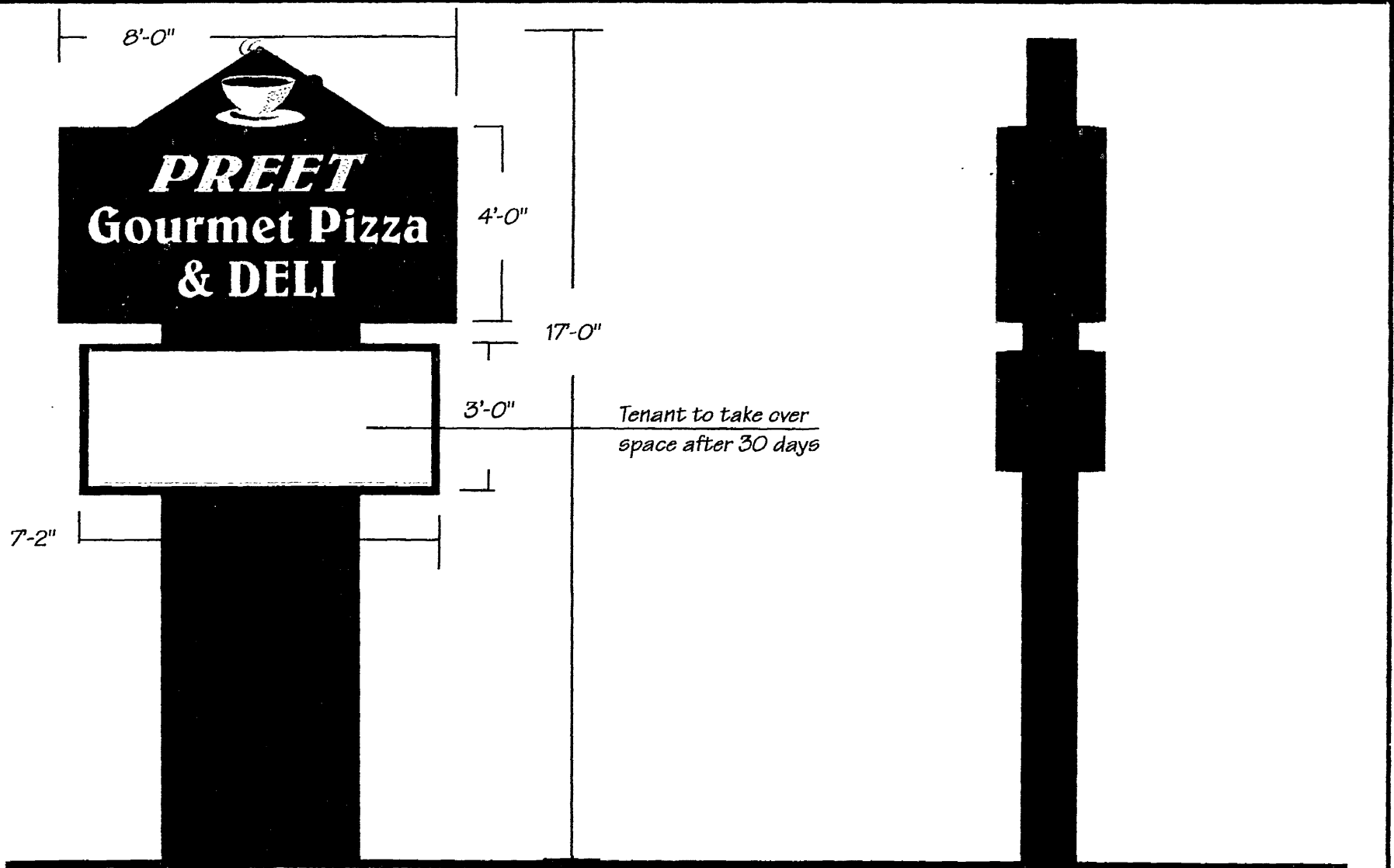
PLOT PLAN

(Owner's Address)

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.







PREET SIGN RENDITION

APRIL 2001

THIS DIAGRAM IS THE PROPERTY OF GLOEDE NEON SIGN CO. INC., AND MAY NOT BE REPRODUCED WITHOUT WRITTEN CONSENT UNTIL SUCH TIME AN AGREEMENT HAS BEEN REACHED AS TO THE TERMS AND AGREEMENTS OF THE SALE OF THIS DIAGRAM.



GLOEDE NEON SIGN CO.
113 CATHERINE STREET
POUGHKEEPSIE, NEW YORK 12601
914-471-4366 - PHONE
914-471-0987 - FAX
SINCE 1922

RECEIVED

SEP 13 2001

Town of New Windsor Bldg. Dept.

PROXY AFFIDAVIT

SUBMISSION OF APPLICATION FOR VARIANCE #01-33.

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

STATE OF)

COUNTY OF)

SS.:

HARJINDER SINGH, being duly sworn, deposes
and says: I am the OWNER of PREET GOURMET PIZZA & DELI
the record owner of
a certain parcel of land within the TOWN OF NEW WINDSOR
designated as tax map SECTION _____ BLOCK _____ LOT _____.
I HEREBY AUTHORIZE BARBARA FITZGERALD of
GLOEDE NEON SIGNS, LTD. (company name)
to make an application before the ZONING BOARD OF APPEALS as
described in the within application.

Dated: 9-12-01.

Harjinder Singh
(Signature of Corporate Officer)
Title: OWNER

Sworn to before me this

12th day of September, 2001

Barbara J. Stohner
Notary Public

BARBARA J. STONER
NOTARY PUBLIC, State of New York
No. 01ST4982020
Qualified in Putnam County Orange
Term Expires May 25, 2003

(ZBA DISK#1-012996.CP)

GLOEDE NEON SIGNS

P.O. BOX 4963
POUGHKEEPSIE, NY 12602
PHONE: (845) 471-4366

| DATE | INVOICE | AMOUNT |
|------|---------|--------|
| | | |
| | | |
| | | |
| | | |

50-1134/219

13957

PAY ONE HUNDRED FIFTY & No/100

DOLLARS

| CHECK NO. | TO THE ORDER OF | DATE |
|-----------|---------------------|---------|
| 13957 | Town of New Windsor | 8-21-01 |

| CHECK AMOUNT |
|-------------------|
| 150 ⁰⁰ |

GLOEDE NEON SIGNS

Signature Required

2BA.
#01-33

RIVERSIDE BANK

11-13 GARDEN STREET
POUGHKEEPSIE, NEW YORK 12601

Barbara Fitzgerald

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

⑈013957⑈ ⑆021911343⑆ ⑈01 20 006788⑈

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#804-2001**

08/22/2001

**#01-33
Gleode Neon Signs
P O Box 4963
Poughkeepsie, NY 12602**

**Received \$ 150.00 for Zoning Board Fees on 08/22/2001. Thank you for stopping by
the Town Clerk's office.**

As always, It is our pleasure to serve you.

**Deborah Green
Town Clerk**

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

In the Matter of the Application for Variance of

**AFFIDAVIT OF
SERVICE
BY MAIL**

H. Singh / Preet Dali
#01-33.

STATE OF NEW YORK))
COUNTY OF ORANGE) SS.:

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 21st day of August, 2001, I compared the 15 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patricia G. Corsetti
Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public

Date 8/7/81

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.

168 N. Drury Lane
Newburgh, N.Y. 12550

| DATE | | | CLAIMED | ALLOWED |
|---------|-----------------------------------|--|---------|---------|
| 7/23/81 | Zoning Board Mtg | | 75 00 | |
| | Misc. - 2 | | | |
| | Singh/Preet Deli - 4 \$18.00 | | | |
| | 20 th Century Towing 6 | | | |
| | Holpan - 6 | | | |
| | Lucas - 4 | | | |
| | THW/First Columbia - 3 | | | |
| | USH Realty/Quasar - 3 | | | |
| | Probes - 3 | | | |
| | Picerno - 2 | | | |
| | Bila - Tutor Time - 3 | | | |
| | 36 | | 162 00 | |
| | | | 237 00 | |

PRELIMINARY MEETINGS:

SINGH/PREET DELI

MR. TORLEY: Request for more than the allowable freestanding sign by one, 2 ft. height variance, 107 square foot sign area variance, plus a 30 day permit for temporary sign on new freestanding sign at 1035 Little Britain Road in an NC zone..

Ms. Barbara Fitzgerald appeared before the board for this proposal.

MR. TORLEY: Tells us what you want to do.

MS. FITZGERALD: Well, the deli is located on Old Little Britain Road, I believe it is, and they have, I actually have some, I don't know if you have, I made up some packets already to share. Anybody else need one? You're all set, okay. Basically, they were asking for this sign, there's only one location to put it. Originally, when we planned it, we had it towards the front of the parking lot area and we were advised that that was a spot where we couldn't put it. It has to be where there's an existing sign for a business that has a right-of-way to a building in the back where they exist and that's the only possible place to put it. And you can see by the photographs if you're looking down the road where you can see Stewart Mall across the street, there's a sign there now to the left of that so that's where it has to be located. We have to put, they are pre-existing, so we have no choice, but to put both signs on the same, in the same configuration on the same poles. Evidently, what's happening is the people in the back have their business is going to change its name and we were asking for a 30 day temporary permit to leave their sign there putting it on the poles so it's all in one and then after 30 days removing it and they're going to take over the bottom space on that sign with their new name. The way it was designed is for it to be readable, the place where it is and the speed of the traffic and so on and so on, it's the right size for readability, there are comparable enlarger signs in the area. The height of the sign I realize it's 15 feet to the top, we tried to

keep it so that it's above, you know, in a good viewing area at that speed so it's only going to be a couple feet, it's nice and neat.

MR. TORLEY: Now, are you, the one sign that's on the skeletal type outlay the other side is basically solid base?

MS. FITZGERALD: Yes, that was requested to show how these poles go through into the ground with the rebar and, you know.

MR. TORLEY: You're intending to have a solid type?

MS. FITZGERALD: Yes, that's not illuminated or anything, all it is is a neat cover finish for the poles.

MR. KANE: Any illumination in the sign itself?

MS. FITZGERALD: Yeah, in the box only.

MR. KAEN: Non-flashing?

MS. FITZGERALD: Non-flashing, non-revolving, non everything.

MR. KANE: Says request for more than one allowable freestanding sign by one which means there are two freestanding signs that will be up, Michael, is that what we're looking at?

MR. BABCOCK: Well, I think what I'm understanding here is that they're going to take down the other sign that's there now.

MS. FITZGERALD: Yes.

MR. KANE: So this sign right here, if I assume this is correct, as this is the sign that you want a 30 day temporary permit on and when the sign's up, this sign will be taken down and the other one put up?

MS. FITZGERALD: This will exist but it will be blank, this will, until they decide on their new name.

MR. KANE: But this freestanding sign itself will all come down?

MS. FITZGERALS: Yes.

MR. KANE: They won't need an additional, there will be one freestanding sign, so we need to clear that up for the record.

MS. FITZGERALD: What we were going to do with that because it's I think it's two pieces of wood is to attach that to the pole for the 30 days and then take it down and fill in the face.

MR. KANE: To the new one?

MS. FITZGERALD: Yes.

MR. TORLEY: Where physically on the lot will this sign be?

MS. FITZGERALD: Exactly where you see the existing one right there, the outer pole will be here and it will go in like this.

MR. TORLEY: Mike, I'm a little concerned about you guys, if this is a solid base, is that going to obscure the view out on the road for merging traffic?

MR. MC DONALD: Looking at the drawing, the white one kind of blocks, it's got two cars blocked now in the picture.

MR. TORLEY: I'm worried about the solid base.

MR. KANE: For the public meeting, could you do us a favor, let us know the distance off of the road that that sign is going to be placed.

MS. FITZGERALD: Sure, I think that's an angle that you're looking at it.

MR. KANE: If you can take a closer picture for us so we can see better.

MS. FITZGERALD: Sure, I'd be very glad to.

MR. TORLEY: Second thing, be prepared to describe why you need the extra two feet height and personally for me why the open frame wouldn't be just as good, it would eliminate the problem of sight.

MS. FITZGERALD: I think it's one of the--

MR. TORLEY: At the public hearing because if there's a problem with the restriction of sight for traffic merging, we can't have that.

MR. KANE: If we can approve that with closer pictures and show it's not going to be a problem, just the one correction, we won't be adding an additional freestanding sign just changing the existing.

MR. TORLEY: Any other questions?

MR. REIS: I make a motion that we set up Singh-Preet Deli for their requested variances at 1035 Little Britain Road.

MR. KANE: Second it.

ROLL CALL

| | |
|---------------|-----|
| MR. RIVERA | AYE |
| MR. MC DONALD | AYE |
| MR. REIS | AYE |
| MR. KANE | AYE |
| MR. TORLEY | AYE |



APROX 300' DISTANCE
TO SIGN FROM LOCATION OF PICTURE.
THIS DRAWING IS TO SCALE

THIS IS HOW
THE SIGN WILL APPEAR
AT 150'

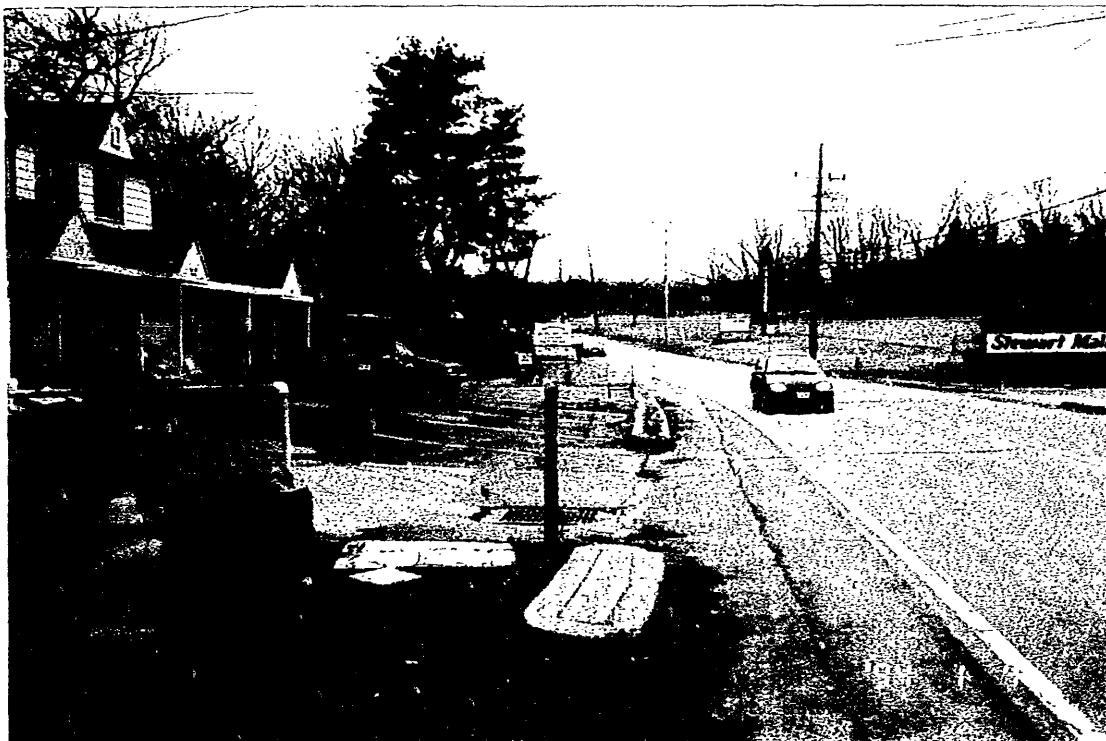
PREET SIGN RENDITION

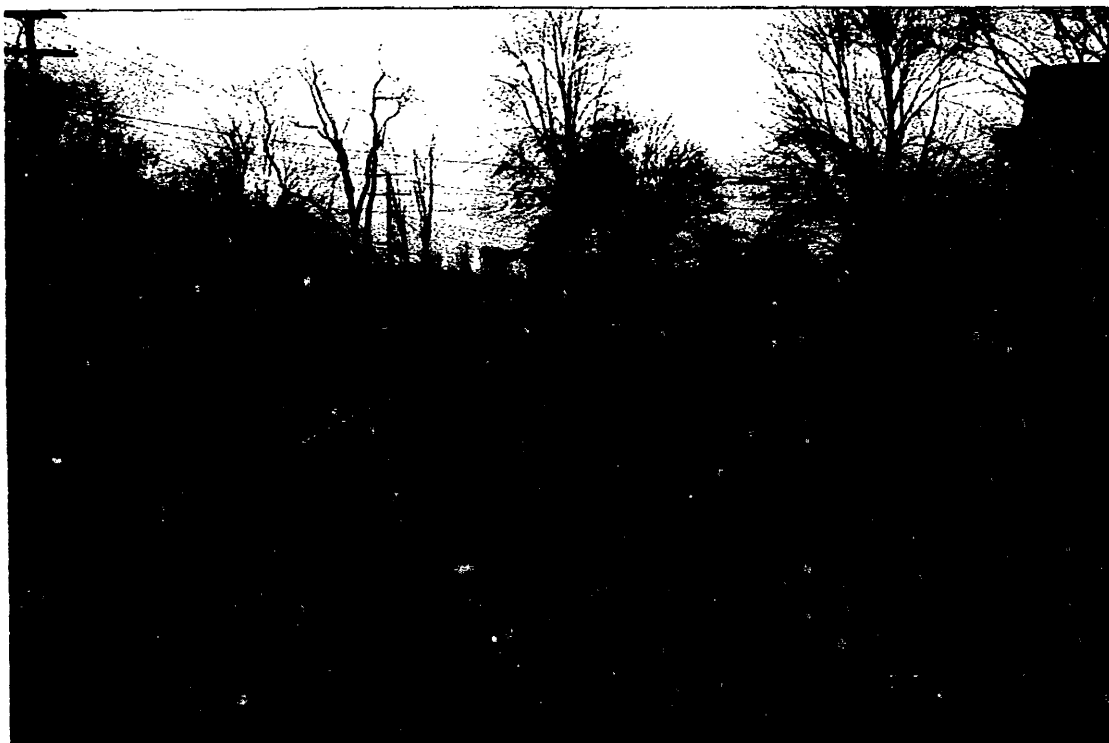
APRIL 2001

THIS DIAGRAM IS THE PROPERTY OF GLOEDE NEON SIGN CO. INC.,
AND MAY NOT BE REPRODUCED WITHOUT WRITTEN CONSENT UNTIL
SUCH TIME AN AGREEMENT HAS BEEN REACHED AS TO THE
TERMS AND AGREEMENTS OF THE SALE OF THIS DIAGRAM.



GLOEDE NEON SIGN CO.
113 CATHERINE STREET
POUGHKEEPSIE, NEW YORK 12601
845-471-4366 - PHONE
845-471-0987 - FAX
SINCE 1922







Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

15

August 8, 2001

Baljinder Pal Singh
1035 Little Britain Road
New Windsor, NY 12553

Re: 33-2-16.1

Dear Mr. Singh,

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/bw
Attachments

CC: Pat Corsetti, ZBA

3-1-1.12
NYS Dep. of Transportation
C/o Anheuser-Busch Metal Corp.
Corp. Tax Dept.
One Busch Place
St. Louis, MO 63118-1852

33-2-9.21
Lois & Paul Proulx
296 Hudson Street
Cornwall on Hudson, NY 12520

3-1-31.1
New Windsor Power Equipment Corp.
988 Little Britain Road
New Windsor, NY 12553

33-2-10; 33-2-11
Lucia & Angelo Feola
8 Dapple Terrace
Newburgh, NY 12550

3-1-31.2
Stephen Sakadelis
3 Square Hill Road
New Windsor, NY 12553

33-2-15
John J. Sr., Helen F., John J. Jr. &
Helen G. Rueckert
East Green Rd. Box 22
Rock Tavern, NY 12575

3-1-33.1
Leshlmar Little Britain Corp.
400 Ba Mar Drive
Stony Point, NY 10980

33-2-16.2
James Petro Jr.
238 Maharay Lane
New Windsor, NY 12553

3-1-33.2
Stewart Retailers Inc.
400 Ba Mar Drive
Stony Point, NY 10980

33-2-17
Windsor Enterprises, Inc.
5020 Route 9W
Newburgh, NY 12550

3-1-36.2
NYS Department of Transportation
C/o Airport Director
NYS DOT-1035 First Street
Stewart Airport
Newburgh, NY 12550

32-2-13
Silver Stream Inc.
400 Ba Mar Drive
Stony Point, NY 10980

32-2-14
Vails Gate Fire Company Inc.
4 Weather Oak Hill
New Windsor, NY 12553

33-2-4
Andrew Bivona
3 Lynn Place
New Paltz, NY 12561

33-2-5; 33-2-6
Linda Ethal Borger
C/o Gaetani
20 Glen Drive
Wappingers Falls, NY 12590

*Pls. publish immediately. Send bill to: Glode Neon Signs
P.O. Box 4963
Pok, N.Y. 12602.*

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 33

Request of Haryjinder Singh/Preet Delli

for a VARIANCE of the Zoning Local Law to Permit:

freestanding sign with more than the allowable height,
area, plus an addl. sign to be attached thereto;

being a VARIANCE of Section 48-18-Supplementary Sign Regs.

for property situated as follows:

1035 Little Britain Road, New Windsor, NY

known and designated as tax map Section 33, Blk. 2 Lot 16.1.

PUBLIC HEARING will take place on the 10th day of September, 2001, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman

By: Patricia A. Corsetti, Secy.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

Date: 2/21/01

I. ✓ Applicant Information:

- (a) AMARJIT SINGH 1035 Little Britain Rd.
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) GLADE NEON SIGNS, LTD., 97 N. CLINTON ST., Poughkeepsie, NY 12601
(Name, address and phone of contractor/engineer/architect)
(845) 471-4366

II. Application type:

- ☐ Use Variance ☒ Sign Variance
- ☐ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) N-C 1035 LITTLE BRITAIN RD. 33-2-16.1
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? N/A
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? ?
- (e) Has property been subdivided previously?
- (f) Has property been subject of variance previously?
If so, when?
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector?
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: _____

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

^{N/A}
(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

^{N/A}
(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance: ^{N/A}

(a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

| <u>Requirements</u> | <u>Proposed or Available</u> | <u>Variance Request</u> |
|------------------------------|------------------------------|-------------------------|
| Min. Lot Area _____ | _____ | _____ |
| Min. Lot Width _____ | _____ | _____ |
| Reqd. Front Yd. _____ | _____ | _____ |
| Reqd. Side Yd. _____ | _____ | _____ |
| Reqd. Rear Yd. _____ | _____ | _____ |
| Reqd. Street Frontage* _____ | _____ | _____ |
| Max. Bldg. Hgt. _____ | _____ | _____ |
| Min. Floor Area* _____ | _____ | _____ |
| Dev. Coverage* _____ % | _____ % | _____ % |
| Floor Area Ratio** _____ | _____ | _____ |
| Parking Area _____ | _____ | _____ |

* Residential Districts only

** No-residential districts only

^{N/A}
(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

* SEE ATTACHED

(You may attach additional paperwork if more space is needed)

✓ VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

| | <u>Requirements</u> | <u>Proposed or Available</u> | <u>Variance Request</u> |
|--------|---------------------|------------------------------|-------------------------|
| Sign 1 | _____ | _____ | <u>43 #1</u> |
| Sign 2 | _____ | _____ | _____ |
| Sign 3 | _____ | _____ | _____ |
| Sign 4 | _____ | _____ | _____ |
| | _____ | _____ | _____ |

✓ (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

WE ARE REQUESTING A VARIANCE FOR A 107 SQ. FT. SIGN (TOTAL OF BOTH SIDES) WHICH IS FREE-STANDING AND WILL ACCOMMODATE TWO BUSINESSES. THE SITE IS LIMITED AS TO LOCATION OF THE SIGN. IT WILL COMPLIMENT THE BUILDING & SITE, BE LEGIBLE & INCORPORATE BOTH BUSINESSES INTO ONE SIGN.

✓ (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

WINDOWS: _____ BUILDING: _____ Free-standing: _____
TOTAL _____

VII. Interpretation. N/A

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

SIGNAGE will be limited to the free-standing sign for both businesses

IX. Attachments required:

- ☐ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☐ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☐ Copy of deed and title policy.
- ☐ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ Copy(ies) of sign(s) with dimensions and location.
- ☐ Two (2) checks, one in the amount of \$ 150.00 and the second check in the amount of \$ 500.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: JUNE 8, 2001

STATE OF NEW YORK)

Dutchess) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

x Barbara Fitzgerald
(Applicant)

Sworn to before me this

8th day of June, 192001

George C. Harnen
XI. ZBA Action:

GEORGE C. HARNEN
Notary Public, State of New York
No. 01HA1678825
Residing in Dutchess County
Commission Expires 12/31/01

(a) Public Hearing date: _____

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)